

Khmer Rouge trial: Illness, fading memories give trial slow start Michelle Fitzpatrick December 11, 2011

Cambodia's historic Khmer Rouge trial has barely begun but one verdict is already in: the fragile health and failing memories of the elderly accused and witnesses will make for a long, slow road to justice.

More than three decades after up to two million people died in the country's "Killing Fields" era, a UN-backed tribunal began hearing evidence over the past week in the case against the Khmer Rouge's three most senior surviving leaders.

For the hundreds of Cambodians who came to the Phnom Penh court each day hoping for answers that could shed light on the secretive 1975-1979 regime, the proceedings proved an exercise in patience -- punctuated by frequent bathroom breaks.

Judges pleaded for "flexibility" from all parties as they were forced to constantly adjust the schedule to accommodate the needs of the first four men to give evidence -- including defendant "Brother Number Two" Nuon Chea.

"We saw a lot of hurdles this week from technical glitches to recollection issues and age issues," said tribunal monitor Clair Duffy from the US-based Open Society Justice Initiative.

"It kind of set the stage for what this trial will be like, because these issues will crop up time and again."

Led by "Brother Number One" Pol Pot, who died in 1998, the hardline communist movement wiped out nearly a quarter of the population through starvation, forced labour and execution in a bid to forge an agrarian utopia.

Co-defendants Nuon Chea, former foreign minister Ieng Sary and ex-head of state Khieu Samphan deny charges including war crimes and genocide.

A fourth accused, 79-year-old former social affairs minister Ieng Thirith, who is married to Ieng Sary and was Pol Pot's sister-in-law, was recently ruled unfit to stand trial due to dementia.

Owing to fears that not all the suspects will live to see a verdict, the court has split their complex case into several smaller trials, starting with the forced evacuation of Phnom Penh and related crimes against humanity.

"But even this first mini-trial is going to take one or two years," Nuon Chea's lawyer Michiel Pestman told AFP. "It's going to be a very long, tiring process. It's like a trial with a Zimmer (walking) frame."

Nuon Chea, 85, was first to give evidence on Monday, and although the session was cut short because he was suffering from fatigue and high blood pressure, his performance was easily the highlight of the week.

Pol Pot's most trusted deputy gave detailed insight into the rise of the communist movement in Cambodia, rarely needing to refer to a blue binder filled with notes to jog his memory, though he did repeatedly complain of tiredness.

In his testimony, broadcast live on television, he claimed the Vietnamese were instead to blame for the mass killings -- and were still trying to encroach on Cambodian land.

Judges later turned their attention to the first high-profile witness, a former aide to Ieng Sary, who spoke via videolink as he was too ill to leave his home in northern Cambodia.

Long Norin, 73, appeared to struggle to recount exact dates and events.

"It has been 30 years. How can I remember all these things?" he said in exasperation after the prosecution probed him about the tasks he carried out under Ieng Sary.

Taking evidence from the Khmer Rouge insider, who prosecutors said seemed "reluctant" to testify, was an agonisingly slow process interrupted by the witness's numerous toilet breaks and trouble with the audio technology, requiring questions to be repeated several times.

In an effort to bring at least one testimony this week to a close and avoid renewed hassle with the interactive set-up, judges said the court would exceptionally sit on a Friday.

But that hearing was adjourned as soon as it began after Long Norin called in sick -- disappointing the 300 high school students who had travelled for more than two hours by bus to catch the trial in action.

"We will come back again. We want to know about the Pol Pot regime," said Seang Virak, 19, after the session ended abruptly, allowing him only a quick glimpse of the accused.

"I am very angry with them because they killed people all over the country," he said. Unfailingly polite, however, the teenager added: "But I am sorry to hear the witness is sick."